

UNITED STATES DISTRICT COURT

for the

Eastern District of California

United States of America

v.

DAVID TALCOTT USSERY

Case No: 2:05CR00034-03

USM No: 15710-097

Date of Original Judgment: 09/18/2006

Date of Previous Amended Judgment: 12/09/2011

(Use Date of Last Amended Judgment if Any)

David Porter, Assistant Federal Defender

Defendant's Attorney

ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 121 months is reduced to 100 months.

(Complete Parts I and II of Page 2 when motion is granted)

Except as otherwise provided, all provisions of the judgment dated

09/12/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: August 28, 2012



Judge's signature

Effective Date: (if different from order date)

Lawrence K. Karlton, United States District Judge

Printed name and title